

REMARKS

Entry of Amendments

As a RCE is being filed herewith, this amendment and Amendment G filed on June 8, 2006 should be entered and considered by the Examiner at this time.

Except as discussed below, Applicants are amending the claims to correct informalities therein.

Applicants will address each of the Examiner's objections and rejections in the order in which they appear in the Final Rejection and Advisory Action.

Drawings

In the Final Rejection, the Examiner objects to the drawings under 37 CFR 1.84(p)(5) as including reference numerals 317 and 334 in Fig. 11 but not in the specification. Accordingly, in Amendment G filed June 8, 2006, Applicants amended page 30 of the specification to add reference numerals 317 and 334. As these reference numerals were in the drawings as filed, no new matter is being added. Therefore, it is respectfully requested that this amendment be entered, and the objection withdrawn.

Claim Rejections - 35 USC §112

The Examiner also rejects Claims 42-77 under 35 USC §112, second paragraph, as being indefinite. This rejection is respectfully traversed.

In particular, the Examiner objects to the phrase "organic EL layer" as lacking an antecedent basis in Claims 42, 47, 52, 57, 62 and 67. Accordingly, in Amendment G filed on June 8, 2006,

Applicants amended each of these claims to recite as follows: “~~organic~~ EL layer.” As there is a clear antecedent basis for “EL layer”, it is respectfully submitted that this rejection has been overcome, and it is requested that the rejection be withdrawn.

Claim Rejections - 35 USC §103

Claims 42-45, 47-49, 51 and 72-73

The Examiner also rejects Claims 42-45, 47-49, 51 and 72-73 under 35 U.S.C §103(a) as being unpatentable over Kimura et al. (US6,518,962) in view of Shields (US 4,839,707) and Yasukawa (US6,831,623). This rejection is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claim 42 to recite the features of “a first interlayer insulating film [317] over the switching transistor [330] and the current controlling transistor [331]”, “a source wiring and a drain wiring [318/319] which are connected with the switching transistor and a source wiring and a drain wiring [320/321] which are connected with the current controlling transistor, and formed over the first interlayer insulating film [317]”, and “a second interlayer insulating film [322].” These features are supported, for example, as reflected in the reference numerals in brackets above, by Fig. 11 of the present application. Independent Claims 47, 52, 57, 62 and 67 have been amended in a similar manner.

Even if the combination of cited references in the rejection is proper (which Applicants do not admit), the combination still does not disclose or suggest the above claimed features.

Therefore, independent Claims 42, 47, 52, 57, 62 and 67 and those claims dependent thereon are patentable over the cited references. Accordingly, it is respectfully requested that this rejection

be withdrawn.

Claims 52-54, 57-59, 61-69, 71 and 74-77

The Examiner also rejects Claims 52-54, 57-59, 61-69, 71 and 74-77 under 35 USC §103(a) as being unpatentable over Kimura et al. in view of Yasukawa. This rejection is also respectfully traversed.

For the reasons discussed above, independent Claims 52, 57, 62 and 67 and those claims dependent thereon are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 46 and 50

The Examiner also rejects Claims 46 and 50 under 35 USC §103(a) as being unpatentable over Kimura et al., Shields and Yasukawa and further in view of Ue et al. (US 5,733,661). This rejection is also respectfully traversed.

Each of these claims is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 55, 60, 65 and 71

The Examiner also rejects Claims 55, 60, 65 and 71 under 35 USC §103(a) as being unpatentable over Kimura et al., Yasukawa and further in view of Ue et al. This rejection is also respectfully traversed.

Each of these claims is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Conclusion


It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any further fee is due for this amendment, please charge our deposition account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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